



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

ICR/NJM/SKW
F. #2015R01171

271 Cadman Plaza East
Brooklyn, New York 11201

March 5, 2023

By ECF and Email

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Kaveh Lotfolah Afrasiabi
Criminal Docket No. 21-46 (BMC)

Dear Judge Cogan:

The government respectfully writes to advise the Court of the parties' joint request for an adjournment of trial.

The government expects to file a brief pursuant to the Classified Information Procedures Act ("CIPA"), 18 U.S.C. app. 3, no later than July 3, 2023 or by a date set by the Court.¹ The government is prepared to proceed to trial anytime thereafter, although we respectfully request that the Court not schedule the trial to begin the weeks of August 21, August 25, or September 4, 2023.

Standby counsel for the defendant advises that she has trial conflicts in May, June, July, September, and late October.²

¹ The government expects to file a motion regarding this anticipated brief pursuant to CIPA § 2 shortly.

² Specifically, counsel has advised that she has the following trials scheduled, with additional information available upon request.

- United States v. Davis, 21-CR-603 (VEC) (S.D.N.Y. May 25) (3 weeks)
- United States v. Manaf, 18-CR-762 (PAC) (S.D.N.Y. June 12) (2 weeks)
- United States v. Bridges, 21-CR-65 (LJL) (S.D.N.Y. July 10) (2 weeks)
- United States v. Hernandez, 15-CR-379 (PKC) (S.D.N.Y. Sept. 18) (1 month)

As the Court is aware, the defendant has also sought adjournments of the trial date by letter and by email to the government. Accordingly, in light of the parties' joint desire for an adjournment, the government respectfully requests that the Court adjourn trial to a date sometime after July 3, 2023, and exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, from today until the date of the trial, in light of the government's anticipated CIPA motion and the defendant's request for time to prepare for trial.

The government is available for a conference should the Court have additional questions.

Respectfully submitted,

BREON PEACE
United States Attorney

By: /s/
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cc: Clerk of Court (BMC) (by ECF and Email)
Kaveh Lotfolah Afrasiabi (pro se defendant) (by Email)
Sabrina Shroff, Esq. (standby counsel) (by Email)

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- United States v. Ahmed, 19-CR-3162 (D.Ariz. Oct. 30) (2 weeks)

All anticipated lengths are approximate and subject to change: